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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

MEELAD DEZFOOLI,

Defendant.

Case No. 2:22-cr-00142-RFB-DJA

Stipulation for Modified Protective Order

The parties, by and through the undersigned, respectfully request and stipulate that the Court issue a modified order protecting from disclosure to the public any documents, recordings, or other tangible things produced by the Government during discovery that contain the confidential personal identifying information and/or federal taxpayer information of third parties referenced in the discovery. This proposed modified protective

1 order is intended to supersede and replace the original protective order (ECF No. 32), in
2 order to allow the defendant to possess copies of certain protected information, as specified
3 in paragraph 9 below. The parties further state as follows:

4 1. On June 22, 2022, a federal grand jury indicted defendant MEELAD
5 DEZFOOLI in an eight-count sealed indictment, alleging Bank Fraud in violation of 18
6 U.S.C. § 1344(2), Concealment Money Laundering in violation of 18 U.S.C. §
7 1956(a)(1)(B)(i)), and Monetary Transactions in Criminally Derived Property in violation
8 of 18 U.S.C. § 1957. ECF No. 1. On July 11, 2022, defendant Dezfooli made his initial
9 appearance and plea and was arraigned in the District of Nevada. ECF No. 6.

10 2. Defendant's current counsel entered his initial appearance on July 25, 2022
11 (ECF No. 26), and the parties subsequently stipulated to the original protective order,
12 which was granted by the Court on August 17, 2022. ECF No. 32. The Government
13 delivered discovery to defendant's counsel on August 22, 2022.

14 3. Trial is currently scheduled for January 23, 2023. ECF No. 6.

15 4. The discovery produced in connection with this case contains extensive
16 personal identifying information of third parties, including names, addresses, and bank
17 account information. The release of such information to the public could endanger the
18 privacy of dozens of individuals and also subject them to potential misuse of their
19 identities.

20 5. The discovery produced in connection with this case also contains
21 confidential federal taxpayer information provided by the Internal Revenue Service in
22 accordance with 26 U.S.C. § 6103(i)(2) and being produced in discovery pursuant to 26
23 U.S.C. § 6103(i)(4)(B).
24

1 6. The confidential third-party personal identifying information and any
2 confidential third-party federal taxpayer information identified in paragraphs 4 and 5,
3 above, is referred to here as the “Protected Information.”

4 7. In order to protect the privacy of the third parties referenced in the discovery,
5 the parties intend to restrict access to Protected Information provided to the defense in
6 discovery to the following individuals: attorneys for the defendant, and any personnel that
7 the attorneys for the defendant consider necessary to assist in performing that attorney's
8 duties in the defense of this case, including investigators, paralegals, retained experts,
9 support staff, interpreters, and any other individuals specifically authorized by the Court
10 (collectively, the “Covered Individuals”).

11 8. The Covered Individuals shall be advised of the Protective Order, and,
12 without leave of Court, the Covered Individuals shall not:

- 13 a. use the Protected Information for any purpose other than preparing to
14 defend against the violations in the Indictment, or any superseding
15 indictment or further charges arising out of this case;
- 16 b. provide Protected Information to the custody and control of
17 individuals other than Covered Individuals; or
- 18 c. publicize any Protected Information, including by attaching any
19 Protected Information to any of the pleadings, briefs, or other court
20 filings except to the extent those pleadings, briefs, or filings are filed
21 under seal or properly compliant with LR IC 6-1.

22 9. The defendant shall only be permitted to review the Protected Information in
23 the presence of defense counsel who shall retain exclusive possession of the Protected
24 Information. Defense counsel will ensure that any discovery item left with Defendant is

1 fully redacted of any Protected Information. However, the defendant may possess
2 Protected Information that is provided by the Government and explicitly marked and
3 designated as “Authorized for Defendant’s Possession,” subject to the same restrictions as
4 Covered Individuals in possession of Protected Information.

5 10. Nothing in this stipulation is intended to restrict the parties’ use or
6 introduction of the Protected Information as evidence at trial or support in motion practice,
7 so long as the information is placed under seal or appropriate redactions are made in
8 accordance with LR IC 6-1.

9 11. The defense shall inform any person to whom disclosure may be made
10 pursuant to this order of the existence and terms of this Court’s order.

11 12. The parties reserve the right to seek to modify the terms of this protective
12 order at a later time pursuant to Federal Rule of Criminal Procedure 16(d)(1). Should a
13 reasonable need for this protective order cease to exist, on grounds other than a Covered
14 Individual or some other person violating or circumventing its terms, the Government will
15 move expeditiously for its dissolution.

16 13. In the event of an inadvertent disclosure of the Protected Information, the
17 party making or learning of the inadvertent disclosure will immediately:

- 18 a. Notify the person to whom the disclosure was made that it contains
19 Protected Information subject to a Protective Order;
- 20 b. Make all reasonable efforts to preclude dissemination or use of the
21 Protected Information by the person to whom disclosure was
22 inadvertently made;

23 / / /

24 / / /

c. Notify the Government and other parties of the identity of the person to whom the disclosure was made, the circumstances surrounding the disclosure, and the steps taken to ensure against further dissemination or use of the information.

14. This Order supplants and replaces the protective order previously stipulated by the parties and entered by the Court at ECF No. 32.

Respectfully submitted,

For the United States:


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/s/ Eric Schmale
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D. Zachary Adams
Trial Attorney

For the Defense:

/s/ Brian Pugh
BRIAN PUGH
Assistant Federal Public Defender
Attorney for DEFENDANT
DEZFOOLI

IT IS SO ORDERED:


RICHARD F. BOULWARE, II
United States District Judge

December 7, 2022
Date